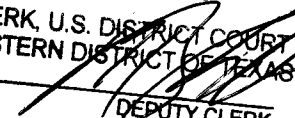


UNITED STATES COURTHOUSE

FILED

OCT 07 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 
DEPUTY CLERK

Richard L.Tabler,
Petitioner,

**DEATH
PENALTY**

vs.

W-10-CA-034

Lorie Davis, Director,
Texas Department of Criminal
Justice, Criminal Institutions
Division,

DEATH PENALTY CASE

Defendant.

Hon. Robert Pitman

PRO SE MOTION SEEKING COURTS ASSISTANCE WITH
POLUNSKY UNIT'S SENIOR WARDEN M.BUTCHER INTERFERING
WITH THE MAILING OF LEGAL PAPERS TO A NON_LEGAL PERSON,
AS WELL AS DENYING ME ACCESS TO LEGAL COUNSEL APPOINTED
BY THIS COURT.

Petitioner, Richard L. Tabler, TDCJ-ID#999523 recently wrote to this court a pro se motion because he was being denied access to his court appointed counsel of record, by prison officials here at the Polunsky Unit in Livingston, Texas where Texas Death Row inmates are housed. That motion was sent to this court on September, 10th, 2019, and placed on this court's docket on Monday, September, 16th, 2019. Even though petitioner reached out to this court in regards to this situation of not being allowed to have legal telephone approved phone calls with his lawyer, Marcia A. Widder, and to receive and mail out legal mail to Shawn Nolan and his lawsuit lawyer who he retained, David A. Lane; which is still being denied. Petitioner, is now going through retaliation actions by filing said motion. On September, 30th, 2019; petitioner typed out a non-legal letter to a friend living in Austin, Texas, explaining that when she next visited with one of petitioner's friends who is also in prison for a crime she did not commit. To explain to her about filing a Pro Se motion herself to this court and the Honorable Robert Pitman, as he might be able to assist her or point her in the right direction for legal assistance. Petitioner, also gave his friend the mailing address of the Honorable Robert Pitman at

located at the United States Courthouse, 800 Franklin Avenue, Waco, Texas 76701. Instead of this information being mailed out in a non-legal envelope because it was not considered legal mail, the senior prison unit Warden M. Butcher saw fit to go out of his way to prevent the letter being mailed out.

Petitioner feels that this was done in retaliation to his previous pro se motion to this court that was docketed on September, 16th, 2019.

Warden M. Butcher had the unit mailroom Mrs. Sims bring petitioner to his cell this morning a Texas Department of Criminal Justice Correspondence/Contraband Denial Form. However, the outgoing addressed envelope was returned to me, but the legal letter/legal papers for my friend was withheld. (Please see attached form)

According to the Texas Code of Criminal Procedures, (PC. §39.04. Violation of the civil rights of a person in custody. Sect. (A). An official or employee of a correctional facility or a Peace Officer commits an offense if he intentionally denies or impedes a person in custody in the exercise or enjoyment of any right, privilege, or immunity knowing his conduct is unlawful.)

A copy of the motion was being sent to petitioner's friend in Austin, Texas is also attached to this motion. Warden Butcher claims that petitioner was circumventing correspondence rules via third party BP03.91, this claim is not true, as the letter was addressed to one Mary Hampton with attached motion for copies to be made and motion shared with friend of petitioner who is in need of some kind of legal assistance of her own. The 14th Amendment, Section 1. States, all persons born or naturalized in the United States/and subjected to the jurisdiction thereof/are citizens of the United States and of the State, wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny any person within its jurisdiction the equal protection of the laws.

Petitioner has repeatedly asked to speak with Investigator Simpson of the unit's Office of Inspector General (OIG). Only to be denied this legal request as well. No action taken by petitioner is being addressed correctly. Not only can petitioner not get outgoing mail to his counsel of record, but they cannot get approved legal

telephone calls to their client, but he is also being denied his rights to send legal papers to assist his friend, Tina L. Madrid. When will enough be enough before help wanted is too late? Petitioner request that this court please notify him upon receipt of this motion and its response to said request, please. Thank you, for your time and consideration in this dire request for assistance.

Respectfully,
Richard L. Tabler



October, 1st, 2019

Richard L. Tabler, #999523
Texas Death Row
3872 FM 350 South
Livingston, TX. 77351

Richard Tabler, #999523
Polunsky Unit/D.R.
3872 FM 350 South
Livingston, TX. 77351

Honorable Robert Pitman
United States Courthouse
800 Franklin Avenue
Waco, Texas 76701

!!! LEGAL MAIL !!!
76701-193693

POSTAGE WILL BE PAID BY ADDRESSEE
NORTH HOUSTON TX 77060
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